

Cote, D.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

FEDERAL HOUSING FINANCE AGENCY,  
AS CONSERVATOR FOR THE FEDERAL  
NATIONAL MORTGAGE ASSOCIATION  
AND THE FEDERAL HOME LOAN  
MORTGAGE CORPORATION,

Plaintiff,

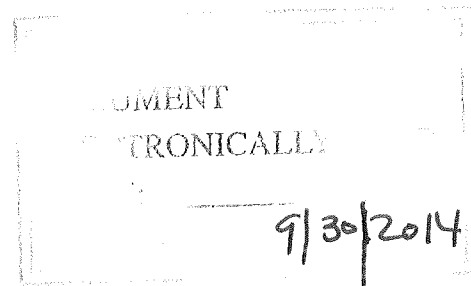
-against-

NOMURA HOLDING AMERICA, INC.,  
et al.

Defendants.

No. 11 Civ. 6201 (DLC)

STIPULATION AND ~~PROPOSED~~  
PRETRIAL SCHEDULING ORDER



WHEREAS, Plaintiff Federal Housing Finance Agency (“FHFA”), as conservator for the Federal National Mortgage Association (“Fannie Mae”) and the Federal Home Loan Mortgage Corporation (“Freddie Mac” and, together with Fannie Mae, the “GSEs” and each a “GSE”), and Defendants Nomura Holding America, Inc.; Nomura Asset Acceptance Corporation; Nomura Home Equity Loan, Inc.; Nomura Credit & Capital, Inc.; Nomura Securities International, Inc.; RBS Securities Inc. (f/k/a Greenwich Capital Markets, Inc.); David Findlay; John McCarthy; John P. Graham; Nathan Gorin; and Dante LaRocca (collectively, “Defendants, and together with FHFA, the “Parties,” each of the Parties being a “Party”) have met and conferred and believe that a schedule for the exchange of certain materials and a briefing schedule for certain pretrial motions will assist the parties in meeting the deadlines set forth in the Court’s Order of September 8, 2014 (Dkt. 806);

WHEREAS, trial in this action is scheduled to begin on March 9, 2015;

WHEREAS, the Parties must file a Joint Pretrial Order on January 30, 2015;

WHEREAS, pursuant to the Court’s Individual Practices in Civil Cases, the Parties must file any motions *in limine* by January 30, 2015, and any oppositions to motions *in limine* by February 6, 2015;

WHEREAS, the Parties agree that a pre-trial schedule allowing for the early filing of *Daubert* motions and motions *in limine* will aid the pretrial process;

**IT IS HEREBY STIPULATED AND AGREED:**

1. For motions *in limine*:
  - a. The Parties may file motions *in limine*, excluding any Daubert motions, on or before January 30, 2015;
  - b. The Parties shall file any opposition to such a motion *in limine* no later than 10 days after that motion is filed;
  - c. The Parties shall file any reply in support of such a motion *in limine* no later than 8 days after the opposition to that motion is filed; and
  - d. Such motions *in limine* and oppositions thereto shall be no more than 5 single-spaced pages, replies shall be no more than 2 single-spaced pages, and all motion papers shall be in the form of letters to the Court.
2. For *Daubert* motions:
  - a. The Parties may file *Daubert* motions on or before January 8, 2015;
  - b. The Parties shall file any opposition to a *Daubert* motion no later than 15 days after that motion is filed; and
  - c. The Parties shall file any reply in support of a *Daubert* motion no later than 10 days after the opposition to that motion is filed.
3. The Parties reserve and do not waive all other rights and objections.

*So ordered.*

*James C. Lee*  
*Sept. 30, 2014*

Dated: September 29, 2014  
New York, New York

STIPULATED AND AGREED.

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Nomura Securities International, Inc., RBS  
Securities Inc., David Findlay, John  
McCarthy, John P. Graham, Nathan Gorin,  
and N. Dante LaRocca*

SO ORDERED, at New York, New York  
\_\_\_\_\_, 2014:

\_\_\_\_\_  
Denise L. Cole  
United States District Judge

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